

amended Pub. L. 109-270, §2(f)(3), Aug. 12, 2006, 120 Stat. 747; Pub. L. 114-95, title I, §1008, Dec. 10, 2015, 129 Stat. 1862.)

Editorial Notes

REFERENCES IN TEXT

The Individuals with Disabilities Education Act, referred to in subsecs. (a)(3)(A) and (b)(7)(A)(iii)(III), is title VI of Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 175, which is classified generally to chapter 33 (§1400 et seq.) of this title. For complete classification of this Act to the Code, see section 1400 of this title and Tables.

PRIOR PROVISIONS

A prior section 6314, Pub. L. 89-10, title I, §1114, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3534; amended Pub. L. 105-332, §3(c)(1), Oct. 31, 1998, 112 Stat. 3125, related to schoolwide programs, prior to the general amendment of this subchapter by Pub. L. 107-110.

AMENDMENTS

2015—Subsec. (a). Pub. L. 114-95, §1008(1), added subsec. (a) and struck out former subsec. (a) which consisted of pars. (1) to (4) relating to general use of funds for schoolwide programs, nonidentification of students, exemption from statutory and regulatory requirements, and professional development.

Subsec. (b). Pub. L. 114-95, §1008(2), added subsec. (b) and struck out former subsec. (b) which consisted of pars. (1) and (2) relating to components of a schoolwide program and development of plan.

Subsecs. (c) to (e). Pub. L. 114-95, §1008(3), added subsecs. (c) to (e) and struck out former subsec. (c). Prior to amendment, text of subsec. (c) read as follows: “A school that is eligible for a schoolwide program under this section may use funds made available under this part to establish or enhance prekindergarten programs for children below the age of 6, such as Even Start programs or Early Reading First programs.”

2006—Subsec. (b)(2)(B)(v). Pub. L. 109-270 substituted “the Carl D. Perkins Career and Technical Education Act of 2006” for “Carl D. Perkins Vocational and Technical Education Act of 1998”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of this title.

§ 6315. Targeted assistance schools

(a) In general

In all schools selected to receive funds under section 6313(c) of this title that are ineligible for a schoolwide program under section 6314 of this title, have not received a waiver under section 6314(a)(1)(B) of this title to operate such a schoolwide program, or choose not to operate such a schoolwide program, a local educational agency serving such school may use funds received under this part only for programs that provide services to eligible children under subsection (c) identified as having the greatest need for special assistance.

(b) Targeted assistance school program

To assist targeted assistance schools and local educational agencies to meet their responsibility to provide for all their students served under this part the opportunity to meet the

challenging State academic standards, each targeted assistance program under this section shall—

- (1) determine which students will be served;
- (2) serve participating students identified as eligible children under subsection (c), including by—

(A) using resources under this part to help eligible children meet the challenging State academic standards, which may include programs, activities, and academic courses necessary to provide a well-rounded education;

(B) using methods and instructional strategies to strengthen the academic program of the school through activities, which may include—

- (i) expanded learning time, before- and after-school programs, and summer programs and opportunities; and
- (ii) a schoolwide tiered model to prevent and address behavior problems, and early intervening services, coordinated with similar activities and services carried out under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);

(C) coordinating with and supporting the regular education program, which may include services to assist preschool children in the transition from early childhood education programs such as Head Start, the literacy program under subpart 2 of part B of subchapter II, or State-run preschool programs to elementary school programs;

(D) providing professional development with resources provided under this part, and, to the extent practicable, from other sources, to teachers, principals, other school leaders, paraprofessionals, and, if appropriate, specialized instructional support personnel, and other school personnel who work with eligible children in programs under this section or in the regular education program;

(E) implementing strategies to increase the involvement of parents of eligible children in accordance with section 6318 of this title; and¹

(F) if appropriate and applicable, coordinating and integrating Federal, State, and local services and programs, such as programs supported under this chapter, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career and technical education programs, and comprehensive support and improvement activities or targeted support and improvement activities under section 6311(d) of this title; and

(G) provide² to the local educational agency assurances that the school will—

- (i) help provide an accelerated, high-quality curriculum;
- (ii) minimize the removal of children from the regular classroom during regular school hours for instruction provided under this part; and
- (iii) on an ongoing basis, review the progress of eligible children and revise the

¹ So in original. The word “and” probably should not appear.

² So in original. Probably should be “providing”.

targeted assistance program under this section, if necessary, to provide additional assistance to enable such children to meet the challenging State academic standards.

(c) Eligible children

(1) Eligible population

(A) In general

The eligible population for services under this section is—

- (i) children not older than age 21 who are entitled to a free public education through grade 12; and
- (ii) children who are not yet at a grade level at which the local educational agency provides a free public education.

(B) Eligible children from eligible population

From the population described in subparagraph (A), eligible children are children identified by the school as failing, or most at risk of failing, to meet the challenging State academic standards on the basis of multiple, educationally related, objective criteria established by the local educational agency and supplemented by the school, except that children from preschool through grade 2 shall be selected solely on the basis of criteria, including objective criteria, established by the local educational agency and supplemented by the school.

(2) Children included

(A) In general

Children who are economically disadvantaged, children with disabilities, migrant children or English learners, are eligible for services under this part on the same basis as other children selected to receive services under this part.

(B) Head Start and preschool children

A child who, at any time in the 2 years preceding the year for which the determination is made, participated in a Head Start program, the literacy program under subpart 2 of part B of subchapter II, or in preschool services under this subchapter, is eligible for services under this part.

(C) Migrant children

A child who, at any time in the 2 years preceding the year for which the determination is made, received services under part C is eligible for services under this part.

(D) Neglected or delinquent children

A child in a local institution for neglected or delinquent children and youth or attending a community day program for such children is eligible for services under this part.

(E) Homeless children

A child who is homeless and attending any school served by the local educational agency is eligible for services under this part.

(3) Special rule

Funds received under this part may not be used to provide services that are otherwise required by law to be made available to children described in paragraph (2) but may be used to coordinate or supplement such services.

(d) Integration of professional development

To promote the integration of staff supported with funds under this part into the regular school program and overall school planning and improvement efforts, public school personnel who are paid with funds received under this part may—

- (1) participate in general professional development and school planning activities; and
- (2) assume limited duties that are assigned to similar personnel who are not so paid, including duties beyond classroom instruction or that do not benefit participating children, so long as the amount of time spent on such duties is the same proportion of total work time as prevails with respect to similar personnel at the same school.

(e) Special rules

(1) Simultaneous service

Nothing in this section shall be construed to prohibit a school from serving students under this section simultaneously with students with similar educational needs, in the same educational settings where appropriate.

(2) Comprehensive services

If—

(A) health, nutrition, and other social services are not otherwise available to eligible children in a targeted assistance school and such school, if appropriate, has engaged in a comprehensive needs assessment and established a collaborative partnership with local service providers; and

(B) funds are not reasonably available from other public or private sources to provide such services, then a portion of the funds provided under this part may be used as a last resort to provide such services, including—

- (i) the provision of basic medical equipment, such as eyeglasses and hearing aids;
- (ii) compensation of a coordinator;
- (iii) family support and engagement services;
- (iv) integrated student supports; and
- (v) professional development necessary to assist teachers, specialized instructional support personnel, other staff, and parents in identifying and meeting the comprehensive needs of eligible children.

(f) Use of funds for dual or concurrent enrollment programs

A secondary school operating a targeted assistance program under this section may use funds received under this part to provide dual or concurrent enrollment program services described under section 6314(e) of this title to eligible children under subsection (c)(1)(B) who are identified as having the greatest need for special assistance.

(g) Prohibition

Nothing in this section shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to require a local educational agency or school to submit the results of a comprehensive needs assessment or plan under section 6314(b) of this title, or a program described in subsection (b), for review or approval by the Secretary.

(h) Delivery of services

The services of a targeted assistance program under this section may be delivered by nonprofit or for-profit external providers with expertise in using evidence-based or other effective strategies to improve student achievement.

(Pub. L. 89-10, title I, §1115, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1475; amended Pub. L. 114-95, title I, §1009, Dec. 10, 2015, 129 Stat. 1865.)

Editorial Notes**REFERENCES IN TEXT**

The Individuals with Disabilities Education Act, referred to in subsec. (b)(2)(B)(ii), is title VI of Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 175, which is classified generally to chapter 33 (§1400 et seq.) of this title. For complete classification of this Act to the Code, see section 1400 of this title and Tables.

PRIOR PROVISIONS

A prior section 6315, Pub. L. 89-10, title I, §1115, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3539, related to targeted assistance schools, prior to the general amendment of this subchapter by Pub. L. 107-110.

AMENDMENTS

2015—Subsec. (a). Pub. L. 114-95, §1009(1), added subsec. (a) and struck out former subsec. (a). Prior to amendment, text read as follows: “In all schools selected to receive funds under section 6313(c) of this title that are ineligible for a schoolwide program under section 6314 of this title, or that choose not to operate such a schoolwide program, a local educational agency serving such school may use funds received under this part only for programs that provide services to eligible children under subsection (b) of this section identified as having the greatest need for special assistance.”

Subsec. (b). Pub. L. 114-95, §1009(3), added subsec. (b) and struck out former subsec. (b). Prior to amendment, subsec. (b) consisted of pars. (1) and (2) relating to general components of a targeted assistance school program and coordination of resources and review and revision of program.

Pub. L. 114-95, §1009(2), redesignated subsec. (c) as (b). Former subsec. (b) redesignated (c).

Subsec. (c). Pub. L. 114-95, §1009(2), redesignated subsec. (b) as (c). Former subsec. (c) redesignated (b).

Subsec. (c)(1)(B). Pub. L. 114-95, §1009(4)(A), substituted “the challenging State academic standards” for “the State’s challenging student academic achievement standards” and “criteria, including objective criteria, established by the local educational agency and supplemented by the school” for “such criteria as teacher judgment, interviews with parents, and developmentally appropriate measures”.

Subsec. (c)(2)(A). Pub. L. 114-95, §1009(4)(B)(i), substituted “English learners” for “limited English proficient children”.

Subsec. (c)(2)(B). Pub. L. 114-95, §1009(4)(B)(ii), in heading, substituted “Head Start and preschool children” for “Head Start, Even Start, or Early Reading First children” and, in text, substituted “Head Start program, the literacy program under subpart 2 of part B of subchapter II,” for “Head Start, Even Start, or Early Reading First program.”

Subsec. (c)(2)(C). Pub. L. 114-95, §1009(4)(B)(iii), substituted “Migrant children” for “Part C children” in heading.

Subsec. (e)(2)(B)(iii) to (v). Pub. L. 114-95, §1009(5)(A), added cls. (iii) and (iv), redesignated former cl. (iii) as (v), and, in cl. (v), substituted “specialized instructional support” for “pupil services”.

Subsec. (e)(3). Pub. L. 114-95, §1009(5)(B), struck out par. (3). Text read as follows: “Each school receiving

funds under this part for any fiscal year shall devote sufficient resources to carry out effectively the professional development activities described in subparagraph (F) of subsection (c)(1) of this section in accordance with section 6319 of this title for such fiscal year, and a school may enter into a consortium with another school to carry out such activities.”

Subsecs. (f) to (h). Pub. L. 114-95, §1009(6), added subsecs. (f) to (h).

Statutory Notes and Related Subsidiaries**EFFECTIVE DATE OF 2015 AMENDMENT**

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of this title.

§§ 6316, 6317. Repealed. Pub. L. 114-95, title I, §1000(1), Dec. 10, 2015, 129 Stat. 1814

Section 6316, Pub. L. 89-10, title I, §1116, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1478, related to academic assessment and local educational agency and school improvement.

A prior section 6316, Pub. L. 89-10, title I, §1115A, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3542, related to school choice, prior to the general amendment of this subchapter by Pub. L. 107-110.

Section 6317, Pub. L. 89-10, title I, §1117, as added Pub. L. 107-110, title I, §101, Jan. 8, 2002, 115 Stat. 1498; amended Pub. L. 107-279, title IV, §404(d)(3), Nov. 5, 2002, 116 Stat. 1985; Pub. L. 108-446, title II, §201(b)(3), Dec. 3, 2004, 118 Stat. 2802, related to school support and recognition.

A prior section 6317, Pub. L. 89-10, title I, §1116, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3542; amended Pub. L. 104-134, title I, §101(d) [title VII, §703(b)(2)], Apr. 26, 1996, 110 Stat. 1321-211, 1321-255; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327, related to assessment and local educational agency and school improvement, prior to the general amendment of this subchapter by Pub. L. 107-110.

Statutory Notes and Related Subsidiaries**EFFECTIVE DATE OF REPEAL**

Repeal effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as an Effective Date of 2015 Amendment note under section 6301 of this title.

§ 6318. Parent and family engagement**(a) Local educational agency policy****(1) In general**

A local educational agency may receive funds under this part only if such agency conducts outreach to all parents and family members and implements programs, activities, and procedures for the involvement of parents and family members in programs assisted under this part consistent with this section. Such programs, activities, and procedures shall be planned and implemented with meaningful consultation with parents of participating children.

(2) Written policy

Each local educational agency that receives funds under this part shall develop jointly with, agree on with, and distribute to, parents and family members of participating children a written parent and family engagement pol-